

General Motors Hourly-Rate Employees' Pension Plan (the GM Hourly Plan); The General Motors Retirement Program for Salaried Employees (the GM Salaried Plan); The Saturn Individual Retirement Plan for Represented Team Members; The Saturn Personal Choices Retirement Plan for Non-Represented Team Members; and The Employees' Retirement Plan for GMAC Corporation (all five plans collectively, the GM Plans); The AT&T Pension Plan; and the AT&T Management Pension Plan (together, the AT&T Plans; all seven plans collectively, the Plans) Located in Detroit, Michigan (the GM Plans), and in New York, New York (the AT&T Plans)

[Prohibited Transaction Exemption 95-62; Exemption Application Nos. D-09964 through D-09968]

Exemption

The restrictions of section 406(a) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (D) of the Code, shall not apply to (1) the granting to The Industrial Bank of Japan, Limited, New York Branch (IBJ), as the representative of lenders (the Lenders) participating in a credit facility (the Facility), of security interests in limited partnership interests in The Morgan Stanley Real Estate Fund II, L.P. (the Partnership) owned by the Plans with respect to which some of the Lenders are parties in interest; and (2) the agreements by the Plans to honor capital calls made by IBJ in lieu of the Partnership's general partner; provided that (a) the grants and agreements are on terms no less favorable to the Plans than those which the Plans could obtain in arm's-length transactions with unrelated parties; and (b) the decisions on behalf of each Plan to invest in the Partnership and to execute such grants and agreements in favor of IBJ are made by a fiduciary which is not included among, and is independent of, the Lenders and IBJ.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of proposed exemption published on May 22, 1995 at 60 FR 27129.

Written Comments: The Department received one written comment with respect to the proposed exemption, which was submitted by the applicants to correct two errors in the proposed exemption. The Partnership Agreement referred to in Representation #1 of the proposed exemption was dated December 19, 1994, rather than December 29, 1994, as the applicants

had originally represented. The applicants also noted that the word "Employees" in the names of the GM Hourly Plan and the GM Salaried Plan should have only one "e" due to a historical quirk. The Department has made the appropriate corrections and determined to grant the exemption as it was proposed.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

Eaton Corporation Share Purchase and Investment Plan (the Plan) Located in Cleveland, Ohio

[Prohibited Transaction Exemption 95-63; Exemption Application No. D-09978]

Exemption

The restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to: (1) The extension of credit by Eaton Corporation (Eaton) to the Plan in the form of loans (the Loans) with respect to certain guaranteed investment contracts (collectively, the GICs); and (2) the repayment (the Repayments) by the Plan of all or a portion of amounts advanced to the Plan by Eaton on the terms described in the agreement governing such Loans, provided: (a) all terms of such transactions are no less favorable to the Plan than those which the Plan could obtain in arm's-length transactions with unrelated parties; (b) no interest or other expenses will be incurred by the Plan in connection with the Loans; (c) the Loans would be made only when, and to the extent needed, to avoid penalties that would otherwise be incurred if the liquidation of one or more of the GICs is required, as determined by the Corporate Compensation Committee (the Plan Committee); (d) Repayments will be made only from payments made to the Plan as the GICs mature (the GIC Proceeds); (e) the Repayments will not exceed the total amount of the Loans; and (f) the Repayments will be waived to the extent that the Loans exceed the GIC Proceeds.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of proposed exemption published on May 22, 1995 at 60 FR 27130.

EFFECTIVE DATE: This exemption is effective July 5, 1995.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Department,

telephone (202) 219-8881. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions to which the exemptions does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, D.C., this 18th day of July, 1995.

Ivan Strasfeld,

*Director of Exemption Determinations,
Pension and Welfare Benefits Administration,
Department of Labor.*

[FR Doc. 95-17960 Filed 7-20-95; 8:45 am]

BILLING CODE 4510-29-P

LEGAL SERVICES CORPORATION

Grant Award for the Provision of Civil Legal Services to Hawaii Migrant Farmworkers

AGENCY: Legal Services Corporation.

ACTION: Announcement of intent to award grant.

SUMMARY: The Legal Services Corporation (LSC or Corporation) hereby announces its intention to award a regular annualized grant to Legal Aid

Society of Hawaii for the purpose of providing effective, efficient, and high quality civil legal services to the LSC-eligible migrant population in the state of Hawaii. The Corporation plans to award a grant in the amount of \$38,748.

This grant is being made pursuant to authority conferred by Section 1006(a)(1)(B) and 1006(a)(3) of the LSC Act of 1974, as amended.

This public notice is issued pursuant to Section 1007(f) of the LSC Act, with a request for comments and recommendations within a period of thirty (30) days from the date of publication of this notice. This grant award will not become effective, and grant funds will not be distributed prior to the expiration of this 30-day public comment period.

DATES: All comments and recommendations must be received by 5:00 p.m. on or before August 21, 1995.

ADDRESSES: Comments should be sent to the Office of Program Services, Legal Services Corporation, 750 First Street N.E., 11th Floor, Washington, DC 20002-4250.

FOR FURTHER INFORMATION CONTACT: Merceria L. Ludgood, Director, Office of Program Services, (202) 336-8800.

Date Issued: July 17, 1995.

Merceria L. Ludgood,

Director, Office of Program Services.

[FR Doc. 95-18033 Filed 7-20-95; 8:45 am]

BILLING CODE 7050-01-P

Grant Award for Legal Services State Support in the District of Columbia, the Virgin Islands, the Territory of Guam, and the Republic of the Marshall Islands, the Federated States of Micronesia, The Republic of Palau, and the Commonwealth of the Northern Mariana Islands

AGENCY: Legal Services Corporation.

ACTION: Announcement of intent to award grants.

SUMMARY: The Legal Services Corporation (LSC or Corporation) hereby announces its intention to award four (4) annualized grants for the purpose of providing state support functions in its respective service area. The Corporation plans to award a total of \$96,132 to the following LSC recipients:

Name	State/territory	Amount
Neighborhood Legal Services Program of the District of Columbia	DC	\$46,932
Legal Services of the Virgin Islands, Inc.	VI	13,005
Guam Legal Services Corporation	GU	5,079
Micronesian Legal Services Corporation	MP	31,116

These grants are being made pursuant to authority conferred by Section 1006(a)(1)(B) and 1006(a)(3) of the LSC Act of 1974, as amended.

This public notice is issued pursuant to Section 1007(f) of the LSC Act, with a request for comments and recommendations within a period of thirty (30) days from the date of publication of this notice. These grant awards will not become effective, and grant funds will not be distributed, prior to the expiration of this 30 day public comment period.

DATES: All comments and recommendations must be received by 5:00 p.m. on or before August 12, 1995.

ADDRESSES: Comments should be sent to the Office of Program Services, Legal Services Corporation, 750 First Street N.E., 11th Floor, Washington, DC 20002-4250.

FOR FURTHER INFORMATION CONTACT: Merceria L. Ludgood, Director, Office of Program Services, (202) 336-8800.

Date Issued: July 17, 1995.

Merceria L. Ludgood,

Director, Office of Program Services.

[FR Doc. 95-18032 Filed 7-20-95; 8:45 am]

BILLING CODE 7050-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-298]

In the Matter of: Nebraska Public Power District (Cooper Nuclear Station); Exemption

I

Nebraska Public Power District (the licensee) is the holder of Facility Operating License No. DPR-46, which authorizes operation of the Cooper Nuclear Station (CNS) at power levels not in excess of 2381 megawatts thermal. The facility consists of a boiling water reactor at the licensee's site in Nemaha County, Nebraska. The operating license provides, among other things, that CNS is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

II

Section 50.54(o) of 10 CFR Part 50 requires that primary reactor containments for water-cooled power reactors be subject to the requirements of Appendix J to 10 CFR Part 50. Appendix J contains the leakage test requirements, schedules and acceptance criteria for tests of the leak tight integrity of the primary reactor containment and systems and components which penetrate the containment.

Section III.D.2(a) of Appendix J to 10 CFR Part 50 requires that Type B leak

rate tests, except for airlocks, be performed during reactor shutdown for refueling, or at other convenient intervals, but in no case at intervals greater than two years. Type B tests are intended to detect local leaks and to measure leakage across each pressure-containing or leakage-limiting boundary for certain reactor containment penetrations.

NRC regulations in 10 CFR 50.12(a) provide for specific exemptions from the requirements of the regulations in Part 50 if: (1) the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security; and, (2) special circumstances are present. The regulations in 10 CFR 50.12(a)(2)(ii) provide that special circumstances are present where application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.

III

By letter dated December 27, 1994, the licensee requested a one-time exemption from the requirements of Appendix J, Section III.D.2(a) of the drywell head and manport penetrations. The requested exemption for an extension of the 2-year surveillance interval would allow these penetrations to be tested at the next refueling outage,